

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GILBERT SEGAL JR.,

Plaintiff,

-against-

NEW YORK MILITARY ACADEMY (ALL  
ENTITIES INCLUDING, BUT NOT LIMITED  
TO INSURANCE REPRESENTATIVES, ETC);  
THE NATIONAL ASSOCIATION OF  
INDEPENDENT SCHOOLS; THE RESEARCH  
CENTER ON NATURAL CONVERSATION  
INC.; ASSOCIATION OF MILITARY  
COLLEGES AND SCHOOLS OF THE  
UNITED STATES; JOHN DOE 1-8; JROTC  
ARMY,

Defendants.

10/7/21

21-CV-6872 (VB)

VALENTIN ORDER

VINCENT L. BRICCETTI, United States District Judge:

Plaintiff brings this *pro se* action, for which the filing fee has been paid, alleging that he was physical and sexually abused while he was a student at Defendant New York Military Academy. Plaintiff brings his claims under the Court's diversity of citizenship jurisdiction, 28 U.S.C. § 1332.

Under *Valentin v. Dinkins*, a *pro se* litigant is entitled to assistance from the district court in identifying a defendant. 121 F.3d 72, 76 (2d Cir. 1997). In the complaint, Plaintiff supplies sufficient information to permit the New York Military Academy to identify the six John Doe former classmates of Plaintiff and the two John Doe staff members described in the amended complaint. It is therefore ordered that counsel for the New York Military Academy must ascertain the identity of each John Doe whom Plaintiff seeks to sue here and the address where the defendant may be served. Counsel for the New York Military Academy must provide this information to Plaintiff and the Court by **December 6, 2021**.

By **January 5, 2022**, Plaintiff must file a second amended complaint naming the John Doe defendants. The second amended complaint will completely replace, not supplement, the amended complaint. Therefore, plaintiff should include in the second amended complaint all information necessary for his claims. A second amended complaint form that Plaintiff should complete is attached to this order. Once Plaintiff has filed a second amended complaint, the Court will issue an order directing the Clerk of Court to issue summonses as to the newly named defendants.

### CONCLUSION

The Clerk of Court is directed to mail a copy of this order to Plaintiff, together with an information package.

The Clerk of Court is directed to mail a copy of this order and the complaint to the New York Military Academy at: 78 Academy Drive, Cornwall-On-Hudson, New York 10926. A “Second Amended Complaint” form is attached to this order.

SO ORDERED.

Dated: October 7, 2021  
White Plains, New York

A handwritten signature in black ink, appearing to read 'Vincent L. Briccetti', written over a horizontal line.

VINCENT L. BRICCETTI  
United States District Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(In the space above enter the full name(s) of the plaintiff(s).)*

**-against-**

\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)*

\_\_\_\_ Civ. \_\_\_\_\_ (\_\_\_\_)

**SECOND  
AMENDED  
COMPLAINT\_\_**

Jury Trial: ☐ Yes ☐ No  
(check one)

**I. Parties in this complaint:**

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name \_\_\_\_\_  
Street Address \_\_\_\_\_  
County, City \_\_\_\_\_  
State & Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_

- B. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.



**III. Statement of Claim:**

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? \_\_\_\_\_

B. What date and approximate time did the events giving rise to your claim(s) occur? \_\_\_\_\_

C. Facts: \_\_\_\_\_

What  
happened  
to you?

Who did  
what?

Was anyone  
else  
involved?

Who else  
saw what  
happened?

**IV. Injuries:**

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. \_\_\_\_\_

